

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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CARL BLESSING, *et al.*, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

SIRIUS XM RADIO INC.,

Defendant.

Case No: 09-cv-10035 (HB) (RLE)
ECF CASE

NOTICE OF APPEAL

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SEP 22 2011

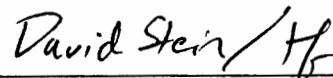
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92 455-1017184

Notice is hereby given that objector in the above-named case Nicholas Martin hereby appeals to the United States Court of Appeals for the Second Circuit from the order certifying the class dated March 29, 2011 (Docket No. 85); the final order approving settlement entered in this action on August 24, 2011 (Docket No. 160); the order awarding attorneys' fees and expenses entered in this action on August 25, 2011 (Docket No. 163); and the final judgment entered in this action on August 25, 2011 (Docket No. 162), and all orders and opinions that merge therein.

Dated: September 21, 2011

Respectfully submitted,



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PROOF OF SERVICE

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I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Dated: September 21, 2011


Theodore H. Frank